

CITY OF JOSHUA, TEXAS

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, AMENDING TABLE B105.1(2), "REFERENCE TABLE FOR TABLES B105.1(1) AND B105.2," CONTAINED IN APPENDIX B, "FIRE-FLOW REQUIREMENTS FOR BUILDINGS," IN THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, ADOPTED BY REFERENCE IN SECTION 5.02.001, "ADOPTED," OF ARTICLE 5.02, "INTERNATIONAL FIRE CODE," OF CHAPTER 5, "FIRE PREVENTION AND PROTECTION," OF THE CODE OF ORDINANCES OF THE CITY OF JOSHUA, TEXAS, BY REDUCING THE MINIMUM FIRE-FLOW REQUIREMENT, AS REFERENCED HEREIN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Joshua ("City") is a home rule municipality; and

**WHEREAS**, Section 51.072 of the Texas Local Government Code authorizes the City Council to exercise the full power of local self-government; and

**WHEREAS**, on or about September 15, 2016, the City Council adopted the 2015 Edition of the International Fire Code, along with the North Central Texas Council of Governments' recommended amendments to such Code; and

**WHEREAS**, the City Council also has determined that minimum fire-flows should 1,000 gallons per minute rather than 1,500 gallons per minute, and that such recommendation will not impair or otherwise compromise the safety of the public or structures; and

**WHEREAS**, the City Council of the City of Joshua, Texas has determined that it is in the best interests of the public and in support of the health, safety, morals, and general welfare of the citizens of the City that the 2015 International Fire Code should be so amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS THAT:**

**SECTION 1**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

## **SECTION 2**

From and after the effective date of this Ordinance, Table B105.1(2), "Reference Table for Tables B105.1(1) and B105.2," contained in Appendix B, "Fire-Flow Requirements for Buildings," in the 2015 Edition of the International Fire Code, adopted by reference in Section 5.02.001, "Adopted," of Article 5.02, "International Fire Code," of Chapter 5, "Fire Prevention and Protection," of the Code of Ordinances of the City of Joshua, Texas, is hereby amended by replacing the reference to 1,500 gallons per minute with 1,000 gallons per minute under the column of said Table entitled "FIRE-FLOW (gallons per minute)."

## **SECTION 3**

This Ordinance shall be cumulative of all provisions of ordinances of the City of Joshua, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 4**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 5**

All rights and remedies of the City of Joshua are expressly saved as to any and all violations of the provisions of existing ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 6**

Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

**SECTION 7**

This Ordinance shall become effective from and after its adoption and publication as required by law.

**DULY PASSED, APPROVED AND ADOPTED** by the City Council of the City of Joshua, Texas, on this the 9th day of December, 2024.

**APPROVED:**

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**Scott Kimble, Mayor**

**ATTEST:**

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**Alice Holloway, City Secretary**

**APPROVED AS TO FORM:**

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**Terrence S. Welch, City Attorney**